

Local Bankruptcy Form 2083-1

Form for Verification And Request For Chapter 13 Discharge - Local Rule 2083-1(m)

Linda D. Smith 7438
1063 E. 3300 S., Suite 102B
Salt Lake City, UT 84106
801-485-3717
801-485-3711
lawldsmith@aol.com
Attorney for

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

In re: **Shahin Mohammad Reza**

Banrukptcy No. **12-28944**

Chapter 13

Debtor(s).

Hon. _____

VERIFICATION AND REQUEST FOR DISCHARGE

The Debtor(s), in the above-captioned case, being duly sworn, state as follows:

1. The Chapter 13 Trustee has issued a Notice of Completion of Plan Payments and the Debtors hereby request the court to enter a discharge in this case.
2. The Debtors have filed with the Bankruptcy Court Official Form 23 (Debtor's Certification of Completion of Postpetition Instructional Course Concerning Personal Financial Management).
3. A. I/We have not been required by a judicial or administrative order, or by statute to pay any domestic support obligation as defined in 11 U.S.C. §101(14A) either before this bankruptcy was filed or at any time after the filing of this bankruptcy.

OR

3. B. I/We certify that prior to the date of this affidavit I/We have paid all amounts due under any domestic support obligation [as defined in 11 U.S.C. §101(14A)] required by a judicial or administrative order, or by statute including amounts due before this bankruptcy was filed, to the extent provided for by the plan. The name and address of each holder of a domestic support obligation are as follows:

_____	Name	_____
_____	Address	_____
_____	Address	_____

[Note: If "3.B" is applicable, all information required in questions B.1 through 3 below must also be provided]

B.1. My/Our most recent address is as follows:

_____	Address	_____
_____	Address	_____

B.2. The name and address of my/our most recent employer(s) is as follows:

_____	Name	_____
_____	Address	_____
_____	Address	_____

B.3. The following creditors hold a claim that is not discharged under 11 U.S.C. §

523(a)(2) or (a)(4), or a claim that was reaffirmed under 11 U.S.C. § 524(c):

Name _____

Name _____

4. I/We have not received a discharge in a Chapter 7, 11 or 12 bankruptcy case filed within 4 years prior to filing this Chapter 13 bankruptcy.

5. I/We have not received a discharge in another Chapter 13 bankruptcy case filed within 2 years prior to filing this Chapter 13 bankruptcy case.

6. A. I/We did not have either at the time of filing this bankruptcy or at the present time, equity in excess of \$125,000.00 in the type of property described in 11 U.S.C. § 522(p)(1) [generally the debtor's homestead]

OR

B. There is not currently pending any proceeding in which I [in an individual case] or either of us [in a joint case] may be found guilty of a felony of the kind described in 11 U.S.C. § 522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. § 522 (q)(1)(B).

/s/ Shahin Mohammad Reza

Debtor

Debtor

NOTICE

Any objection to this verification must be filed within 21 days after service of this verification. If no objection is filed, the court may enter a discharge pursuant to 28 U.S.C. § 1328(a) without further notice or hearing.

CERTIFICATE OF SERVICE

[Serve on all parties-in-interest. Certificate of service must comply with Local Rule 9013-1(j) and (k) and Local Bankruptcy Form 9013-3 (Appendix H)].

COMMITTEE NOTE

Section 1328 sets the qualifications and requirements for a debtor to receive a Chapter 13 discharge. Fed. R. Bankr. P. 1007(b)(7) and (8) also require the debtor to file certain statements before the entry of a discharge. This form contains the certifications and statements required to establish the debtor's qualification for a discharge under 11 U.S.C. § 1328. The form must be filed within 60 days after the Chapter 13 trustee files the Notice of Completion of Plan Payments, and it must be served on all parties-in-interest. *See 11 U.S.C. § 1328; Fed. R. Bankr. P. 1007(b)(7) and (8) and (c); Local Rule 2083-1(m)*. If no objection is filed within 21 days after service, the court may enter a discharge pursuant to § 1328(a) without further notice or hearing (see Local Rule 2083-1(m)). **If this form is not timely filed, the court may close the case without the entry of a discharge.**